



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Served: February 10, 1998

**NOTICE DENYING MOTION
U.S.-Japan Combination Services
Dockets OST-98-3418 and 98-3419**

On February 3, 1998, the Department issued a Notice soliciting applications from U.S. carriers interested in using new combination service route opportunities available under a Memorandum of Consultations signed by representatives of the United States and Japan on January 30, 1998. The Department required that applications be filed by February 10, 1998.

On February 9, 1998, Hawaiian Airlines, Inc. filed a motion requesting that the procedural dates set forth in the Department's notice be stayed for period of 20 days and, thus, that the date for filing applications pursuant to the Department's notice be delayed until March 2, 1998. Alternatively, Hawaiian requests that the date for filing applications for the second new designation for U.S. carrier services that becomes available January 1, 2000 be delayed until March 2, 1998. Hawaiian polled the parties served with its motion. None of the parties that Hawaiian was able to reach under the time constraints involved supports a delay in the procedural dates in this case, although some of the parties support or have no comment on Hawaiian's alternative request.

We have decided to deny Hawaiian's motion.¹ We fully discussed in our Notice the need for expedition with respect to the newly available U.S.-Japan authorities. Specifically, we noted that given that the new route opportunities became available upon the signing of the MOC, and the fact that "incumbent" U.S. and Japanese carriers could expand their U.S.-Japan services immediately, expedited procedures were necessary to award the new rights promptly and to facilitate operations by other U.S. carriers as quickly as possible. Also, information about the potential availability of these new route opportunities was available during the negotiation process to all U.S. carriers and/or their representatives. Hawaiian has presented no arguments that convince us the overall public interest warrants delay in these dates.

¹ We have decided to proceed on Hawaiian's motion without awaiting the complete results of Hawaiian's telephone poll of the parties served with its request. Given the imminence of the established filing deadlines, in order to ensure that carriers had adequate notice of the applicable filing dates, we concluded that the public interest required that we act on Hawaiian's motion without awaiting completion of Hawaiian's poll of the parties.

Accordingly, we deny Hawaiian's request for a delay of the procedural dates in the above captioned dockets. All applications for the new U.S.-Japan combination service authorities at issue shall be due February 10, 1998, as set forth in the Department's February 3, 1998 Notice, and all other procedural dates shall remain as set forth in that notice.

We will serve this notice by fax on Hawaiian Airlines and all parties served with Hawaiian's motion.

By:

CHARLES A. HUNNICUTT
Assistant Secretary for Aviation
and International Affairs

(SEAL)

Dated: February 9, 1998

*An electronic version of this notice is available on the World Wide Web at
<http://dms.dot.gov/general/orders/aviation.html>.*